

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

MA & UD Department –Vijayawada Municipal Corporation – Release of HRA and Annual Grade increments in the time scale wherein their pay was fixed and also pay the arrears to Tanuku Nageswara Rao and 8 others in Vijayawada Municipal Corporation by implementing the orders of APAT in O.A.No.7335/2010 – Permission accorded – Orders issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (D1) DEPARTMENT

G.O.Rt. No. 405

Dated:30.03.2012

Read the following:

1. From the APAT, Hyderabad orders in O.A.No.7335/2010, dated: 27.10.2010.
2. From the Commissioner & Director of Municipal Administration, Hyderabad, Lr.Roc.No.15020/2010/M3, dated:04.05.2011.
3. From the APHC, Hyderabad orders in W.P.No.24130, 24330 and 24344/2011, dated: 30.08.2011.
4. From the Advocate on Record for Government of Andhra Pradesh, Supreme Court of India Lr. Dated: 14.11.2011.

<><><>

O R D E R:

In the reference 1st read above, the Hon'ble APAT in its order dated. 27.10.2010 in O.A.No.7335/2010 filed by Sri.T.Nageswara Rao and 8 others directed that "to grant HRA and annual grade increments to the applicants in the time scale wherein their pay was fixed and also to pay the arrears and further directed to extend the benefit of further pay revision made from time to time".

2. In the reference 2nd read above, the Director of Municipal Administration requested the Government to examine the feasibility to issue general instructions extend the benefit of payment of minimum time scale/sanction of increments to the NMRs, who are appointed prior to 25.11.1993 but not completed (5) years of service as on cut of date in the ULBs subject to condition that it shall not confer any right for regularization of their services on par with the NMRs of Greater Visakhapatnam Municipal Corporation, Vijayawada Municipal Corporation Kagaznagar, Bhongir and Vinukonda to avoid legal complications in the matter.

3. Aggrieved by the order of APAT in O.A.No.7335/2010, Government have filed W.P.No.24330/2011 before the Hon'ble High Court of A.P. In the reference 3rd read above, the Hon'ble High Court of Andhra Pradesh in its common order dismissed the said WP.No.24330/2011 as there are devoid of any merit.

4. Aggrieved by the orders of the Andhra Pradesh High Court, Government have filed SLP before the Hon'ble Supreme Court of India in SLP.No.29963/2011. In the reference 4th read above, the Advocate on record, for Government of Andhra Pradesh, Supreme Court of India, New Delhi has enclosed a copy of the order of the Supreme Court of India in SLP.No.29963/2011, wherein the Hon'ble Supreme Court of India has passed order that "in view of the order passed by this court in SLP (Civil) No.6422/2007 on 23.11.2009, the SLPs are dismissed.

5. After careful examination of the matter in consultation with the advisory Departments and keeping in view of the orders of the Hon'ble APAT in OA.No.7335/2010 filed by Sri.Tanaku Nageswara Rao and 8 other NMRs working in Vijayawada Municipal Corporation hereby accord permission to the Director of Municipal Administration to grant HRA and annual grade increments to the applicants covered in the said O.A., in the

Contd....2

:2:

time scale wherein their pay was fixed and also to pay the arrears and also extend the benefits of the further pay revision made from time to time.

6. The Director of Municipal Administration shall take action accordingly.

7. This order issues with the concurrence of Finance (PC.III) Department vide their U.O.NO.35255/799/A1/PC.III/2011, dt.11.01.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.VIJAY KUMAR
SECRETARY TO GOVERNMENT

To

The Director of Municipal Administration, Hyderabad.

Copy to:

The Commissioner, Vijayawada Municipal Corporation.

The Government Pleader, for MA UD(S),

APAT, Hyderabad.(for kind information and appraise the position to the Hon'ble Tribunal)

The MA & UD(G) Dept.

The Finance (PC.III) Dept.

PS to M (MA).

PS to Secretary to CM.

SF/SCs.

// FORWARDED:: BY ORDER //

SECTION OFFICER